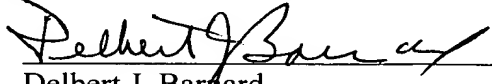




PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 22, 2004.

April 22, 2004

  
Delbert J. Barnard  
Registration No. 20,515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit:	3611
Examiner:	Cassandra Hope Davis
Applicant:	Richard Eric Nemeth
Serial No.:	09/669,150
Filed:	September 25, 2000
For:	HEAD MOUNTED LETTER "M" DISPLAY
Date:	April 22, 2004

**DECLARATION OF ERIN COX UNDER 37 C.F.R. §1.131**

I, ERIN COX, do hereby declare and say that:

1. I am the sister of Richard Eric Nemeth and the wife of Patrick Cox.
2. On May 29, 2000, my husband and I were given four tickets to the baseball game to be played that night between the Seattle Mariners and the Chicago White Sox. We took the tickets and also took a parking coupon to a parking lot near the stadium. My husband and I were

going to use two of the four tickets. My husband and I called my brother Eric Richard Nemeth and offer the other two tickets to him and he accepted them.

3. My brother planed to use one of the tickets and he give the other to Jeff Nickerson, a friend of his.

4. Richard Eric Nemeth and Jeff Nickerson both live in Brimmington, Washington, which is a ferry boat ride away from Seattle Washington. My husband and I arranged to meet Richard Eric Nemeth and Jeff Nickerson at the ferry landing in Seattle.

5. Richard Eric Nemeth brought with him four large objects in the shape of a "M" which were cut from white foam plastic. Exhibit II is a picture of these objects. Richard Eric Nemeth explained to me that they were a form of hat to be worn on a person's head.

6. Richard Eric Nemeth and Jeff Nickerson demonstrated to my husband and I how the "M" hats are placed on a person's head. Basically, the two side legs of the "M" are pulled apart and then the person places his/her head between them, with the "V" section of the "M" position above the head. I am the person shown in Exhibit III (on the right) wearing the "M" hat.

7. Richard Eric Nemeth, Jeff Nickerson, my husband Patrick Cox and I used the parking coupon that we were given and parked in the parking lot next to the stadium. We placed our white foam "M" hats on our heads and walked into the game. Our seats were right behind one of the dugouts. The crowd around us was very interested in our white foam "M" hats. Numerous people asked us where we bought them.

8. During the game, our picture was displayed on the giant T.V. screen at the ballpark.

9. When we left the game, my brother Richard Eric Nemeth said that he was going to make and sell "M" hats and was planning to make them in color.

I hereby declare that all statements made herein of my own knowledge are true and all

statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, pursuant to 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the patent application and any patent issuing thereon.

4/19/04  
DATE

Erin Cox  
ERIN COX